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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/687,524

10/15/2003

G. Eric Engstrom

120083-129605

5236

60172

7590

05/22/2009

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EXAMINER

DEAN, RAYMOND S

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

05/22/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/687,524	Applicant(s) ENGSTROM ET AL.	
	Examiner RAYMOND S. DEAN	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-11 and 14-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27 and 28 is/are allowed.
- 6) ☒ Claim(s) 1,3,6-11 and 14-26 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed March 17, 2009 regarding Claims 1, 2, and 24 have been fully considered but they are not persuasive.

Claim 1

Examiner respectfully disagrees with Applicants' assertion that the combination of Yach and Gidwani does not teach the claimed feature (See Item 1 Pages 12 - 13 in Applicants' Remarks). Yach, as detailed in the Office Action dated December 17, 2008, teaches a list of communication messages to and from a plurality of communication partners. Gidwani, as detailed in the Office Action dated December 17, 2008, teaches particularizing a list of communication messages to include only messages specific to a single communication partner. The combination of Yach and Gidwani render a particularized list of communication messages including only messages to and from a single communication partner.

Claim 2

It is well established in the mobile phone art, and as described in Kaaresoja, that users of mobile phones have the capability to assign pictorial icons to their contacts or communication partners. These pictorial icons are used in order for the user of the mobile phone to **identify** the contact such as when said contact calls said user. Kaaresoja thus reads on the limitation in question.

Claim 24

Examiner respectfully disagrees with Applicants' assertion that Yach does not teach the claimed user interface feature (See Page 10, 2nd Paragraph under "Rejections under 35 U.S.C. 102"). A user can highlight a message from the unified listing interface and compose an email message to person y, the composition of said email comes as a result of highlighting a message via the unified listing interface thus said unified listing interface is accessible from the email composition state. Yach thus reads on the limitation in question.

2. Applicant's arguments with respect to claim 9 have been considered but are moot in view of the new ground(s) of rejection.

Forsyth (US 7,047,030), which also teaches a mobile telecommunications device, teaches a group of communication partners who are members of a group identity (Col. 8 lines 40 – 52).

3. Applicant's arguments, see page 11 of Applicants' remarks filed March 17, 2009 with respect to the rejection of Claim 27 have been fully considered and are persuasive. The rejection of Claim 27 has been withdrawn.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 24 – 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Yach et al. (US 2002/0128036)

Regarding Claim 24, Yach teaches a wireless mobile communication device comprising: a transceiver to facilitate sending and receiving communication messages of a plurality of message types to and from a communication partner (Section 0117); a display (Figure 2c, mobile device (100)); an input device (Figure 2c, mobile device (100) keyboard, microphone); a memory to store a message (Sections 0117, all of the different types of messages are stored), and a unified message function, said unified message function having a user interface configured to facilitate viewing of messages of a plurality of message types, including an email message type, a text message type, and a voice message type (Figure 15b, Sections 0117 – 0121, email, voice, SMS, which is text); wherein the user interface is configured to be directly accessible from an operating state selected from the group consisting of an email composition state for composing an email, a text message composition state for composing a text message, and a voice message composition state for composing a voice message (Figure 2b, Section 0121, user can highlight a message from the unified listing interface and compose an email message to person y, the composition of said email comes as a result of highlighting a message via the unified listing interface thus said unified listing interface is accessible from the email composition state); and wherein the unified

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message function is further configured to maintain email messages as email message objects, text message as text message objects, voice message as voice message objects, and additionally, unified message objects (Figures 15a, 15b, Sections 0117 - 0121, additional data such as the header information and the message body, which makes up the message object, is stored, the unified event listings, which are also stored, are the unified message objects) each including a pointer pointing to the corresponding email, text or voice message object (Figures 15a, 15b, Sections 0117 - 0121, the user can highlight and select desired communication events, which comprises messages of different message types, the highlighting and selection of a particular event will point to a particular location in memory that stores said particular event thus there will be a pointer).

Regarding Claim 25, Yach teaches all of the claimed limitations recited in Claim 24. Yach further teaches each email, text, or voice message object includes information selected from the group consisting of an identifier of the type of message, an identifier of the sender, an identifier of the time sent, an identifier of the data sent, an identifier of the time received, an identifier of the data received, an indication of message urgency, or an indication that a response is requested by a sender (Section 0120, header information for email messages typically includes: name of sender and time the email message was sent).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 3, 6, 8, 18 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cermak et al. (US 6,763,095) in view of Yach et al. (US 2002/0128036) and in further view of Gidwani (US 6,640,239)

Consider Claim 1. Cermak teaches in a wireless mobile communication device, a method of operation (Col. 2, lines 38-53, Abstract) comprising: receiving a first user request from an input key of the wireless mobile communication device (Col. 5, lines 1-13, lines 29-39, Col. 2, lines 9-29, lines 38-52, particularly lines 42-45); and in response to the first user request, displaying on a display of the wireless mobile communication device (Col. 4, lines 1-37, Col. 5, lines 1-39), a list of communication messages with a communication partner of at least two message types selected from a message type group comprising of an email message type, a text message type, a voice message type, and a call message type (Col. 7, lines 35-44), where an icon is displayed when a new message has arrived, either a voice message or a text message.

Cermak does not teach a list of communication messages to and from a plurality of communication partners and the displaying including displaying representations of the communication messages of the list; receiving after said displaying, by the wireless

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mobile communication device, a second user request from the same or another input key of the wireless mobile communication device; and in response to the second user request particularizing the list of communication messages to include only messages to and from a single communication partner, the particularized list being a thread of communication with the communication partner.

Yach teaches a list of communication messages to and from a plurality communication partners (Section 0117), the displaying including displaying representations of the communication messages of the list (Figures 15a, 15b, Section 0117); receiving after said displaying, by the wireless mobile communication device, a second user request from the same or another input key of the wireless mobile communication device (Figure 2b, Section 0121 lines 27 – 35, the user can make multiple requests).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Cermak with the unified event listing functionality of Yach for the purpose of keeping track of all different types of events that take place on the mobile device as taught by Yach.

Gidwani, which is also in the unified communications field of endeavor, teaches in response to a request, particularizing a list of communication messages to include only messages specific to a single communication partner, the particularized list being a thread of communication with the communication partner (Col. 49 lines 53 – 59, lines 62 – 65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Cermak in view of Yach with the unified communications method of Gidwani for the purpose of enabling a more efficient communications capability for the subscriber as taught by Gidwani. The combination of Yach and Gidwani render a particularized list of communication messages including only messages to and from a single communication partner.

Consider Claim 3, in regards to claim 1, respectively, above. Cermak teaches the method wherein the method of operation, further comprising receiving a second user request from the same or another input key of the wireless mobile communication device (Col. 5, lines 1-13, lines 29-39); and in response, expanding the display of a selected one of the displayed communication messages from the communication partner (Col. 4, lines 15-25, Col. 5, lines 9-13, Col. 6, lines 58-67, Col. 7, lines 1-34).

Consider Claim 6, in regards to claim 1, respectively, above. Cermak teaches the method wherein said displaying comprises displaying the list of communication messages with at least three message types selected from the message type group comprising of the email message type (Col. 5, lines 1-13, Col. 6, lines 3-25, Col. 7, lines 5-21, Col. 8, lines 21-32), the text message type (Col. 6, lines 15-20, Col. 2, lines 9-21, Col. 7, lines 40-44), the voice message type (Col. 7, lines 23-62, Col. 4, lines 20-24, Col. 2, lines 9-21), and the call message type (Col. 7, lines 23-34, Col. 5, lines 29-39, Col. 4, lines 34-37).

Consider Claim 8, in regards to claim 1, respectively, above. Cermak teaches the method wherein said displaying comprises displaying text messages across different chat sessions (Col. 6, lines 15-20, Col. 2, lines 9-21, lines 38-65, Col. 7, lines 40-44).

Consider Claim 18 in regards to Claim 1 above, Yach further teaches receiving by the wireless mobile communication device, a third user request from the same or another input key of the wireless mobile communication device selecting a representation of one of the communication messages of the list (Figure 2b, Section 0121 lines 27 – 35, the user can make multiple requests); and in response to said receiving the third user request, displaying, by the wireless mobile communication device, a list of selectable entries associated with multiple communication protocols to facilitate the user in selecting a communication protocol, and facilitating, by the wireless mobile communication device, reply to the communication message in the selected communication protocol (Figure 2b, Section 0121 lines 22 – 35, there are a plurality of communication protocols such as email, SMS, cellular calls).

Consider Claim 19 in regards to Claim 1 above. Yach further teaches wherein the wireless mobile communication device has multiple threads with multiple communication partners (Section 0117, the user of the mobile device can communicate with multiple people via email, phone, or fax thus rendering multiple threads).

Consider Claim 20 in regards to Claim 1 above. Gidwani further teaches wherein the particularizing is based at least in part on an identifier associated with the communication partner (Col. 49 lines 53 – 59, lines 62 – 65, the unified thread is particularized to a specific communication partner thus there will be some kind of

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identifier associated with the communication partner to enable said particularization to occur).

8. Claims 9, 11, 14 – 17, 21 – 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cermak et al. (US 6,763,095) in view of Yach et al. (US 2002/0128036) in view of Gidwani (US 6,640,239) and in further view of Forsyth (US 7,047,030)

Consider Claim 9. Cermak et al. teaches a wireless mobile communication device (Col. 2, lines 38-53, Abstract) comprising: a transceiver to facilitate sending and receiving communication messages of a plurality of message types to and from a communication partner (Col. 2, lines 38-58, Col. 4, lines 1-37), where a system includes a user terminal that may be a cellular phone for incoming and outgoing communications, such as for a user to leave a message and receive a message; a display (Col. 4, lines 18-21, lines 31-37, Col. 2, lines 9-15, lines 38-53, Col. 5, lines 29-39, Col. 6, lines 43-57); an input device (Col. 2, lines 38-53, Col. 8, lines 41-59, particularly lines 50-52); and an unified message function to render on the display, in response to a first input inputted using the input device (Col. 4, lines 1-37, Col. 5, lines 1-39), a list of communication messages from the communication partner of a plurality of message types selected from a message type group comprising of an email message type, a text message type, a voice message type, and a call message type (Col. 7, lines 35-44), where an icon is displayed when a new message has arrived, either a voice message or a text message.

Cermak does not teach a unified message function configured to store the messages as message objects and additionally unified message objects in the storage, the unified message objects for facilitating unified viewing of the messages of different message types, each including a pointer pointing to a corresponding one of the messages of different message types, a list of communication messages to and from one or more communication partners, the displaying including displaying representations of the communication messages of the list, and particularize, in response to a second input inputted used in the input device, the list of communication messages to include only messages to and from a single communication partner, wherein the single communication partner is a group of communication partners who are members of a group identity, the particularized list being a thread of communication with the communication partner.

Yach teaches a unified message function configured to store the messages as message objects and additionally unified message objects in the storage (Figures 15a, 15b, Sections 0117 - 0121, additional data such as the header information and the message body, which makes up the message object, is stored, the unified event listings, which are also stored, are the unified message objects), the unified message objects for facilitating unified viewing of the messages of different message types, each including a pointer pointing to a corresponding one of the messages of different message types (Figures 15a, 15b, Sections 0117 – 0121, the user can highlight and select desired communication events, which comprises messages of different message types, the highlighting and selection of a particular event will point to a particular

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location in memory that stores said particular event thus there will be a pointer), a list of communication messages to and from one or more communication partners (Section 0117), the displaying including displaying representations of the communication messages of the list (Figures 15a, 15b, Section 0117); receive a second user request from the same or another input device, which is a second input (Figure 2b, Section 0121 lines 27 – 35, the user can make multiple requests).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Cermak with the unified event listing functionality of Yach for the purpose of keeping track of all different types of events that take place on the mobile device as taught by Yach.

Gidwani, which is also in the unified communications field of endeavor, teaches particularizing a list of communication messages to include only messages specific to a single communication partner, the particularized list being a thread of communication with the communication partner (Col. 49 lines 53 – 59, lines 62 – 65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Cermak in view of Yach with the unified communications method of Gidwani for the purpose of enabling a more efficient communications capability for the subscriber as taught by Gidwani. The combination of Yach and Gidwani render a particularized list of communication messages including only messages to and from a single communication partner.

Forsyth, which also teaches a mobile telecommunications device, teaches a group of communication partners who are members of a group identity (Col. 8 lines 40 –

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52) and the particularized list being a thread of communication with the group (Col. 8 lines 40 – 52).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Cermak in view of Yach and in further view of Gidwani with the above group feature of Forsyth for the purpose of enabling a user recall the specifics of the group forum discussion as taught by Forsyth.

Consider Claim 11, in regards to claim 9, respectively, above. Cermak teaches the method wherein the method of operation, further comprising receiving a second user request from the same or another input key of the wireless mobile communication device (Col. 5, lines 1-13, lines 29-39); and in response, expanding the display of a selected one of the displayed communication messages from the communication partner (Col. 4, lines 15-25, Col. 5, lines 9-13, Col. 6, lines 58-67, Col. 7, lines 1-34).

Consider Claim 14, in regards to claim 9, respectively, above. Yach further teaches automatically determining a message type when facilitating a user in responding to a received message (Figure 15b, the icons (1727) indicate to the user the type of message).

Consider Claim 15, in regards to claim 9, respectively, above. Yach further teaches each message object includes information selected from the group consisting of an identifier of the type of message, an identifier of the sender, an identifier of the time sent, an identifier of the data sent, an identifier of the time received, an identifier of the data received, an indication of message urgency, or an indication that a response is

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requested by a sender (Section 0120, header information for email messages typically includes: name of sender and time the email message was sent).

Consider Claim 16, in regards to claim 9, respectively, above. Cermak teaches the method wherein said displaying comprises displaying text messages across different chat sessions (Col. 6, lines 15-20, Col. 2, lines 9-21, lines 38-65, Col. 7, lines 40-44).

Consider Claim 17, in regards to claim 9 above. Cermak teaches the wireless mobile communication device wherein the wireless mobile device comprises a wireless mobile phone (Col. 2, lines 42-44).

Consider Claim 21 in regards to Claim 9 above, Yach further teaches receiving by the wireless mobile communication device, a third user request from the same or another input key of the wireless mobile communication device selecting a representation of one of the communication messages of the list (Figure 2b, Section 0121 lines 27 – 35, the user can make multiple requests); and in response to said receiving the third user request, displaying, by the wireless mobile communication device, a list of selectable entries associated with multiple communication protocols to facilitate the user in selecting a communication protocol, and facilitating, by the wireless mobile communication device, reply to the communication message in the selected communication protocol (Figure 2b, Section 0121 lines 22 – 35, there are a plurality of communication protocols such as email, SMS, cellular calls).

Consider Claim 22 in regards to Claim 9 above. Yach further teaches wherein the wireless mobile communication device has multiple threads with multiple

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communication partners (Section 0117, the user of the mobile device can communicate with multiple people via email, phone, or fax thus rendering multiple threads).

Consider Claim 23 in regards to Claim 9 above. Gidwani further teaches wherein the particularizing is based at least in part on an identifier associated with the communication partner (Col. 49 lines 53 – 59, lines 62 – 65, the unified thread is particularized to a specific communication partner thus there will be some kind of identifier associated with the communication partner to enable said particularization to occur).

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cermak et al. (US 6,763,095) in view of Yach et al. (US 2002/0128036) in view Gidwani of (US 6,640,239), as applied to Claim 1 above, and further in view of Kaaresoja et al. (US 2002/0177471)

Consider Claim 7, in regards to claim 1, respectively, above. Cermak in view of Yach and in further view of Gidwani does not teach icons representing the identities of communication partners of the group, each communication partner of the group being represented by an icon unique to that communication partner.

Kaaresoja teaches icons representing the identities of communication partners, each communication partner being represented by a icon unique to that communication partner (Section 0018, See also Response To Arguments above).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mobile phone of Cermak in view of Yach and in

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further view of Gidwani with the visual icon functionality of Kaaresoja for the purpose of enriching the communication experience of the user as taught by Kaaresoja.

10. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cermak et al. (US 6,763,095) in view of Yach et al. (US 2002/0128036) in view Gidwani of (US 6,640,239) in view of Forsyth (US 7,047,030), as applied to Claim 9 above, and further in view of Kaaresoja et al. (US 2002/0177471)

Consider Claim 10, in regards to claim 9, respectively, above. Cermak in view of Yach in view of Gidwani and in further view of Forsyth does not teach the method wherein the displaying comprises displaying on the display for a communication message, a pictorial icon depicting the communication partner of the communication message.

Kaaresoja teaches displaying on the display for a communication message, a pictorial icon depicting the communication partner of the communication message (Section 0018).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mobile phone of Cermak in view of Yach in view of Gidwani and in further view of Forsyth with the visual icon functionality of Kaaresoja for the purpose of enriching the communication experience of the user as taught by Kaaresoja.

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11. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yach et al. (US 2002/0128036) in view Kaaresoja et al. (US 2002/0177471)

Regarding Claim 26, Yach teaches all of the claimed limitations recited in Claim 24. Yach does not teach wherein the identification of a sender further includes a pictorial icon associated with the sender.

Kaaresoja teaches displaying on the display for a communication message, a pictorial icon depicting the communication partner of the communication message (Section 0018).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mobile phone of Yach with the visual icon functionality of Kaaresoja for the purpose of enriching the communication experience of the user as taught by Kaaresoja.

Allowable Subject Matter

12. Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to teach or render obvious the feature: **wherein said receiving of the first user request comprises receiving the first user request while in an operational state configured to facilitate a user in composing an email, a**

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text message, or a message, and the method further comprises switching, by the wireless mobile device, from the operational state configured to facilitate the user in composing to an operational state configured for said displaying.

The prior art of record also does not teach or render obvious the feature: **in response to a user request while facilitating the user in said composing of an email message, a text message or a voice message, switching by the wireless mobile communication device to facilitating the user in unified viewing of the received messages and the sent messages using the unified message objects.** Therefore Claim 27 and its corresponding dependent claim are allowable.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAYMOND S. DEAN whose telephone number is (571)272-7877. The examiner can normally be reached on Monday-Friday 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Raymond S Dean/
Examiner, Art Unit 2618
Raymond S. Dean
May 20, 2009